IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3131 OF 2002
IN
CRIMINAL APPEAL NO. 683 OF 2002

The State of Maharashtra .. Applicant

Vs

Viru @ Virendraprasad Ramkishore Karwal & 3 Ors. .. Respondent

Ms. P.H. Kantharia, APP, for the applicant.

Mr. R.V. Patil and Ms. Gauri Malgundkar, Advocates for respondent No.1 absent.

CORAM: S.B. MHASE &
ANOOP V. MOHTA, JJ.

DATED: 09TH DECEMBER, 2004

P.C.:

1. Heard Mrs. Kantharia, learned PP, for the State.

2. This is a delay condonation application for condonation of delay of 33 days in filing the Appeal against acquittal. The respondent Nos. 1, 2, and 3 are already served. Respondent No.4 is not served and, therefore, the matter is pending since 2002. What we find is that the served respondents have not opposed for condonation of delay. They are not present and their

Advocates also are not present. Therefore, we find it appropriate to condone the delay subject to the right of respondent No.4 to make a grievance. The delay is condoned, subject to the right of respondent No.4.

3. Criminal Application is disposed of. Office is directed to list up the matter for admission.

[ANOOP V. MOHTA, J.] **[S.B. MHASE, J.]**

[srpasha@hc]